

PATENT  
Ser. No. 10/658,248

REMARKS

In the office action mailed 09 August 2005, claims have been rejected under 35 U.S.C. § 102 and 35 U.S.C. § 103. As set forth more fully below, Applicant traverses the rejections.

By this response Applicant rewrites claims 1, 3, 5, 6, and 8, and 9, and cancels claim 7. Support for the rewriting is found throughout the written description and in the Figures. No new matter is added by amendment.

Claim rejections: 35 USC § 102

At paragraph 1 et seq. of the detailed action the Examiner has rejected claims 1 - 3 and 5 - 11 under 35 U.S.C. § 102 as anticipated by Mikol et al. (US 5,493,167), Shanks (US 3,358,167), and/or Blaisdell et al. (US 4,990,821).

Applicant hereby amends the claims to forms which the applicant believes clearly distinguish the cited references. Applicant notes that in order to anticipate a claim, a single prior art reference must disclose each of the limitations of the claim. See, e.g., *Celeritas Technologies Ltd. v. Rockwell International Corp.*, 47 USPQ.2d 1516 (Fed. Cir. 1998), *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ.2d 1051 (Fed. Cir. 1987), MPEP 2131. As set forth more fully below, each of the cited prior art references fails to disclose one or more of the limitations of the claims as currently presented.

Mikol et al. (US 5,493,167)

At paragraph 2 of the detailed action the Examiner has rejected claims 1 - 3, 5 - 6, and 8 - 11 under 35 USC 102(e) as anticipated by Mikol.

With respect to claims 1 - 3, 5, and 8 - 11, Mikol fails to disclose or suggest, *inter alia*, a protected cold cathode fluorescent (CCFL) lamp assembly comprising resilient lamp support members, as recited by the claims. Mikol discloses metal halide arc discharge lamps (see, e.g., abstract) comprising stops 30, 31, which are preferably of "an electrically insulating material such as high temperature ceramic. The stops of the preferred embodiment are of an aluminum oxide ceramic." Col. 6, lines 49 - 52. As is

PATENT  
Ser. No. 10/658,248

well known to those of ordinary skill in the art, high temperature ceramics, including aluminum oxide ceramics, are not appreciably resilient. Certainly such materials are not resilient to the extent of "material such as rubber," as specified by Applicant at page 4, lines 5 - 6 and elsewhere. Nor is Applicant able to discern any disclosure or suggestion of resilient support members anywhere within Mikol.

With respect to claim 6, as currently presented, Mikol discloses lamp assemblies comprising single lamp elements. Mikol neither discloses nor suggests, *inter alia*, a lamp assembly comprising a plurality of tubular lamp elements and a transparent housing element surrounding said lamp elements and substantially coextensive therewith, as recited by claim 6.

Shanks (US 3,358,167)

At paragraph 3 of the detailed action the Examiner has rejected claims 1 - 3, 6, and 8 - 10 under 35 USC 102(b) as anticipated by Shanks.

With respect to claims 1 - 3 and 8 - 10, Shanks fails to disclose or suggest, *inter alia*, a protected cold cathode fluorescent (CCFL) lamp assembly comprising resilient lamp support members adapted to provide circumferential support to at least portions of the respective electrodes, such that the electrodes are supported against bending, as recited by the claims. As shown in Figure 3 and explained in accompanying text, annular spacer disc or ring 20 of Shanks provides support to discharge envelope 11 and outer glass sleeve 12, but provides no support at all to cathodes/contacts 15, 16, 18. As will be understood by those of ordinary skill in the relevant arts, it is advantageous to support electrodes of CCFL lamps from bending, as provided by Applicant's support members, in order, for example, to avoid breakage and lamp failure, and to ensure proper electrical contact upon installation.

With respect to claim 6, as currently presented, Shanks discloses lamp assemblies comprising single lamp elements. Shanks neither discloses nor suggests, *inter alia*, a lamp assembly comprising a plurality of tubular lamp elements and a transparent housing element surrounding said lamp elements and substantially coextensive therewith, as recited by claim 6.

PATENT  
Ser. No. 10/658,248

Blaisdell et al. (US 4,990,821)

At paragraph 4 of the detailed action the Examiner has rejected claims 6 and 7 under 35 USC 102(b) as anticipated by Blaisdell.

Claim 7 is hereby cancelled. With respect to claim 6, Blaisdell fails to disclose or suggest, *inter alia*, a protected lamp assembly comprising a plurality of tubular lamp elements and a transparent housing element surrounding said lamp elements and substantially coextensive therewith, as recited by the claim. Sleeve members 126, 160 disclosed by Blaisdell are not transparent. As described at col. 6, lines 21 - 25, Blaisdell's sleeve 126, 160 provides a housing for lamps 102, 104, 106, and are made from polyvinylchloride, polyolefin, or Teflon. In particular, as explained at col. 6, lines 47 - 48, "the sleeve blocks light emitted through the side of the lamps." As explained elsewhere in Blaisdell, light emitted by lamps 102, 104, 106 is intended to pass not through sleeves 126, 160, but through windows, diffusers, and filters 148, 150, 176, 178, which abut outer ends of the lamps 102, 104, 106, but do not surround the lamps (see e.g. Figs. 5 and 7, and accompanying text).

Claim rejections: 35 USC § 103

At paragraph 6 of the detailed action the Examiner has rejected claims 4 and 12 under 35 USC § 103(a) as unpatentable over Shanks (US 3,358,167). Applicant respectfully submits that, in view of the remarks above and the amendments entered herein, the grounds for rejection are moot. Applicant's claimed lamp assemblies are neither disclosed nor suggested by any of the cited references, either alone or in combination.

PATENT  
Ser. No. 10/658,248

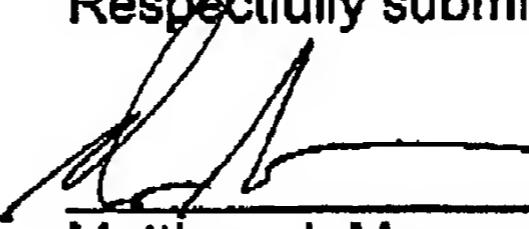
### CONCLUSION

Applicant believes that it has fully responded to the Examiner's concerns, and that the claims are in condition for immediate allowance. Applicant respectfully requests reconsideration and immediate allowance of the claims.

Applicant requests that any questions concerning this matter be directed to the undersigned at (416) 865-8242.

Respectfully submitted,

Dated: 9 February 2006

  
Matthew J. Marquardt  
Reg. No. 40,997  
TORYS LLP  
79 Wellington Street West  
Box 270, TD Centre  
Toronto, Ontario M5K 1N2  
CANADA  
(416) 865-8242  
Fax: (416) 865-7380